



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**JUL 24 2013**

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

The Honorable Barbara Boxer  
Chairman  
Committee on Environment and Public Works  
United States Senate  
Washington, D.C. 20510

Dear Chairman Boxer:

I am providing an update on the U.S. Environmental Protection Agency's (EPA) efforts regarding chemical facility safety in response to your request during the Committee's June 27, 2013, hearing on this topic. The Agency shares your commitment to the protection of public health, specifically the prevention of chemical facility incidents like those that occurred in West, Texas and Geismar, Louisiana. We must strive to prevent future accidents by working for stronger safeguards and greater accountability. I appreciate your continued support of the EPA's Risk Management Program, and look forward to a collaborative effort to help address chemical facility safety.

For the past several years, the EPA has focused its chemical safety efforts on facilities that can adversely affect local communities across the country, taking steps to identify potential chemical safety issues. Although the number of chemical accidents continues to decline, with a 20 percent reduction among the largest chemical facilities over a 10 year period, we will continue our efforts to support local responders, advance additional chemical facility safety measures, and support standardizing the best practices of industry leaders. We believe that it is imperative that chemical facility risks be reduced to the greatest extent possible to avoid tragedies such as those that took place in West, Texas and Geismar, Louisiana. Federal agencies have improved their coordination and will continue to work with state and local responders to assist them in preparing and responding to emergencies. An interagency effort, started shortly after the West, Texas incident, is working to produce a number of actions that can be taken to help strengthen chemical facility safety practices and preparations for emergencies and we expect to be able to provide updates in the weeks and months ahead. The agency also believes it is important to understand the root causes of the West Texas accident to inform the appropriate next steps and looks forward to the completion of the root cause analysis by the Chemical Safety Board (CSB).

The EPA has met several times over the past 12 months with petitioners to discuss their suggestions regarding Clean Air Act section 112(r) and Risk Management Program provisions to improve chemical facility safety. While giving careful consideration to this specific petition, the agency is broadly focused on ensuring strong chemical accident prevention and risk management programs through close coordination among federal agencies with relevant authorities and

partnerships with industry, the public and all levels of government. As such, the EPA is focused on the prevention of and the preparation for chemical disasters arising from natural disasters, accidents, or technological failure while the Department of Homeland Security (DHS) is focused on addressing potential acts of terrorism or other security-related causes. Other agencies, such as the Occupational Safety and Health Administration (OSHA) in the Department of Labor, also have a key role in preventing chemical disasters. Accordingly, the agency is working in cooperation with DHS, OSHA, and the other agencies to ensure that industry continues to implement prevention and risk management programs, as we identify opportunities to reduce the likelihood of chemical disasters and work to improve chemical safety.

The EPA is working with stakeholders to explore how our legal authorities and policies are being used and potential adjustments to reduce risk, including determining the need to update the EPA's Chemical Safety Alert, "Explosion Hazard from Ammonium Nitrate." This Alert was published in 1997. It references National Fire Protection Association standards for the storage and handling of ammonium nitrate and the Occupational Safety and Health Administration regulation governing ammonium nitrate. The EPA is also working with other federal, state and local agencies to advance additional chemical facility safety measures and standardize best practices to reduce risk from chemical substances.

The EPA has worked with the CSB and OSHA to convene experts and stakeholders to discuss the complex issue of how reactive hazards might be addressed in not only the EPA regulations, but also OSHA's Process Safety Management standard. As a result, the EPA collaborated with the Center for Chemical Process Safety of the American Institute of Chemical Engineers on guidance on the safe handling of reactive materials. The EPA joined OSHA and the American Chemistry Council on training materials and further distribution of information. The EPA also worked with our partners to develop a software tool to help facilities and communities safely handle reactive chemicals. The EPA is committed to supporting local responders, advancing efforts by the federal government regarding additional chemical facility safety measures, and standardizing the best practices of industry leaders.

Again, thank you for your interest regarding this issue. If you have further questions, please contact me, or your staff may call Carolyn Levine in the EPA's Office of Congressional and Intergovernmental Relations at 202-564-1859.

Sincerely,

  
Mathy Stanislaus  
Assistant Administrator